

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:06CV220-MU-02

CHRISTOPHER T. JAMES,)
Plaintiff,)
)
v.)
)
STATE OF NORTH CAROLINA; and)
RICK JACKSON, Supt.,)
Defendants.)
_____)

O R D E R

THIS MATTER comes before the Court on the plaintiff's "Motion For Reconsideration Pursuant To The Federal Rules [Of] Civ. Proc.," filed May 23, 2006.

The record of this matter reflects that on May 16, 2006, the plaintiff filed a form civil rights Complaint under 42 U.S.C. §1983. The plaintiff's Complaint was virtually indecipherable; however, as the Court understood it, the plaintiff was attempting to challenge certain matters which allegedly had occurred during his ongoing appeal of a conviction in the North Carolina court system.

Not surprisingly, therefore, by its Order of May 17, 2006, the Court dismissed the plaintiff's case pursuant to the abstention doctrine set forth in Younger v. Harris, 401 U.S. 37 (1971). In the alternative, the Court also found that even if the plaintiff's criminal case had been concluded, his civil rights Complaint still

had to be dismissed because such action simply was not the proper vehicle by which to obtain habeas corpus review.

Now, by the instant Motion for Reconsideration, the plaintiff essentially resumes with the habeas-style claims which he previously had raised in his Complaint. Consequently, inasmuch as the plaintiff has failed to demonstrate that the Court's earlier decision was erroneous, the instant Motion must be **DENIED**.

SO ORDERED.

Signed: June 19, 2006

A handwritten signature in cursive script, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

